

1 Watt, Tieder, Hoffar & Fitzgerald, L.L.P.
2 Michael G. Long, Bar No. 129771
3 mlong@wthf.com
4 David R. Johnson, Bar No. 174883
5 djohnson@wthf.com
6 2040 Main Street, Suite 300
7 Irvine, CA 92614
8 Telephone: 949-852-6700
9 Facsimile: 949-261-0771

10 Attorneys for Plaintiffs

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 UNITED STATES FIDELITY AND
15 GUARANTY COMPANY, et al.,

16 Plaintiffs,

17 v.

18 THE SCOTT COMPANIES, INC., et al.,

19 Defendants.

Case No. CV-03-5376-SBA
CV-06-5590-EMC

STIPULATION TO CONTINUE THE
MARCH 23, 2011 CONTINUED HEARING
ON PLAINTIFFS' MOTION FOR ORDER
TO SELL SECURITIES TO PARTIALLY
SATISFY PLAINTIFFS' JUDGMENT
AGAINST JOSEPH GUGLIELMO;
[PROPOSED] ORDER THEREON

Date: March 23, 2011
Time: 10:30 a.m.
Judge: Magistrate Edward M. Chen
Courtroom: C-15th Floor

20 Plaintiffs United States Fidelity and Guaranty Company, Fidelity and Guaranty Insurance
21 Company, St. Paul Fire and Marine Insurance Company and St. Paul Medical Liability Insurance
22 Company (collectively, "St. Paul") and Judgment Debtor Joseph Guglielmo ("Guglielmo"),
23 through their respective counsel, hereby stipulate and agree as follows:

24 WHEREAS:

25 A. St. Paul's Motion for Order to Sell Securities to Partially Satisfy Plaintiffs'
26 Judgment Against Joseph Guglielmo ("Motion") was heard by this Court on January 4, 2011 at or
27 about 10:30 a.m.

1 B. In its January 11, 2011 Order on the Motion ("Schwab Account Order"), the Court
 2 ordered that information regarding a certain account maintained by Guglielmo at Charles Schwab
 3 & Co., Inc. be exchanged with St. Paul. Further, the Court ordered that the parties submit further
 4 briefing regarding Guglielmo's need for the funds on February 16, 2011, and set a further hearing
 5 regarding Plaintiffs' Motion on February 23, 2011.

6 C. On January 14, 2011, St. Paul sent Guglielmo a letter demanding that Guglielmo
 7 provide certain documents and information pertaining to his financial condition by January 28,
 8 2011 in accordance with the Schwab Account Order ("St. Paul Letter Demand").

9 D. Thereafter, St. Paul and Guglielmo began discussing the possible resolution of
 10 their dispute. To allow for their discussion to progress, St. Paul agreed to continue the briefing
 11 regarding Guglielmo's need for the funds to March 9, 2011 and the hearing on St. Paul's Motion
 12 to March 23, 2011. The Court agreed to the continued dates (Case No. CV-06-5590-EMC,
 13 Docket No. 97 and Case No. CV-03-5376-SBA, Docket No. 410).

14 E. St. Paul and Guglielmo are presently actively engaged in discussions which may,
 15 if successful, ultimately resolve the entire dispute between them, and thereby obviate the need for
 16 the information sought in the St. Paul Letter Demand, the additional submissions to this Court
 17 and the continued hearing on the Motion.

18 **WHEREFORE,**

19 To allow St. Paul and Guglielmo to complete their discussions without potentially
 20 unnecessarily incurring additional expenses and to avoid the potentially unnecessarily
 21 expenditure of the resources of this Court, St. Paul and Guglielmo agree to continue:

22 1. The hearing on St. Paul's Motion from March 23, 2011 by thirty-five (35)
 23 days (to April 27, 2011), as the Court's calendar may permit;

24 2. St. Paul's and Guglielmo's submission of additional briefing in accordance
 25 with the Court's Schwab Account Order from March 9, 2011 to two (2) weeks before the
 26 continued hearing date on the Motion (to April 13, 2011); and
 27
 28

1 3. The deadline for Guglielmo to provide to St. Paul the documentation and
2 information demanded by St. Paul in its St. Paul Letter Demand to thirty (30) days before
3 the hearing (approximately March 28, 2011).

4 IT IS SO STIPULATED.

5 Dated: March 8, 2011

WATT, TIEDER, HOFFAR & FITZGERALD, L.L.P.

By: 

Michael G. Long
David R. Johnson
Counsel for Plaintiffs

10 Dated: March 8, 2011

LAW OFFICES OF JAMES M. SULLIVAN, INC.

By: 

James Sullivan
Counsel for Joseph Guglielmo

ORDER

After considering the Stipulation of the parties, and good cause existing therefore, IT IS
HEREBY ORDERED THAT:

March 23, 2011

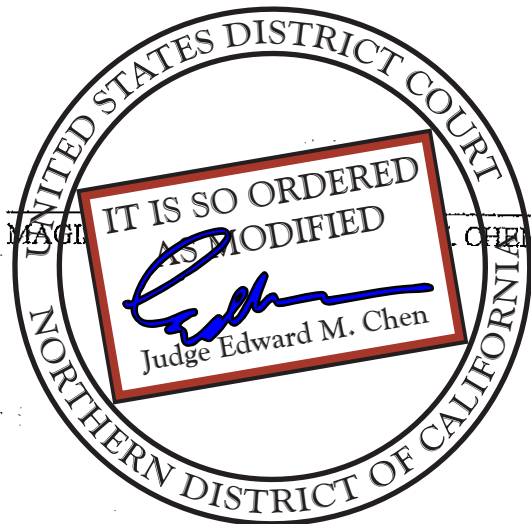
1. The hearing on St. Paul's Motion is continued from April 27, 2011 at 10:30
a.m. to May 4, 2011 at 3:00 a.m./p.m.;

2. The deadline for St. Paul and Guglielmo to submit additional briefing in
accordance with the Court's January 11, 2011 Schwab Account Order is continued from
March 9, 2011 to April 20, 2011.

3. The deadline for Guglielmo to provide to St. Paul the documentation and
information demanded by St. Paul in its St. Paul Letter Demand is
April 4, 2011.

IT IS SO ORDERED

Dated: March 10, 2011



LASVEGAS 11702.1 101319.001

WATT, TIEDER,
HOFFER &
FITZGERALD, L.L.P.
ATTORNEYS AT LAW

STIPULATION TO CONTINUE MARCH 23, 2011
CONTINUED HEARING ON PLAINTIFFS' MOTION FOR
ORDER TO SELL SECURITIES AND [PROPOSED] ORDER

- 4 -

CV-03-5376-SBA CV-06-5590-EMC